GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:5515
ANSWERED ON:29.04.2003
INVOLVEMENT OF NSG OFFICIALS IN CRIMINAL CASE
CHANDRA BHUSHAN SINGH;VSM (RETD.) COL. CHOUDHARY

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether three officials of National Security Guard found involved in disappearance of a civilian in Jammu and Kashmir as reported in The Hindustan Times dated 21 March, 2003;

(b) if so, the facts of the matter;

(c) the reaction of the Government thereto and the action taken by the Government against such officials;

(d) whether the Government have collected any data about number of custodial disappearances in Jammu & Kashmir during the last three years; and

(e) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERS(PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK)

(a): Yes Sir.

(b): Three Army Officers on deputation to NSG were allegedly involved in an incident of the disappearance of a youth on the intervening night of 17/18 August, 1990. These officers were later repatriated to the Army in the year 1992 after completion of their tenure in NSG.

(c): In 1996, the J&K Government moved the Central Government for sanction of prosecution.This was not agreed to for want of sufficient evidence. The State Government was advised to vigorously pursue the investigation and complete the same.It was also mentioned that if in course of such investigation, any evidence becomes available necessitating reconsideration, the case may be resubmitted for grant of prosecution sanction. Again, a similar request was received on 6.9.99 from the State Government explaining the facts and circumstances of the case. After examination of the case, the Central Government requested the State Government on 10.11.99 to complete the investigation and file the challan before the Competent Court and the question of prosecution or otherwise will be decided only thereafter. Since then, the Central Government has not received formal request from the State Government of J&K for grant of prosecution sanction.

(d)&(e): A statement is annexed to this reply.

Statement referred to in the reply to Part (d) & (e) of Unstarred Question No.5515 for answering in the Lok Sabha on 29th April, 2003.

A STATEMENT ON CUSTODIAL DISAPPEARANCES IN J&K DURING LAST THREE YEARS AS PER INFORMATION RE(FROM THE STATE GOVERNMENT

Sl. No.	Year	No. of such Cases registered	No. of persons Involved challaned in the Court	No. of cases finalised & by the State Police	Cases under investigation
1.	2000	17	25	1	16
2.	2001	11	11	0	11
3.	2002	8	11	0	8
	Total	36	47	1	35